

Please replace claims 1 and 3, with the following:

--1. (Amended) A waterproofed and vapor-permeable sole for shoes, comprising:

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a membrane made of a material which is permeable to vapor, which is impermeable to water,
and which is sealed in peripheral regions thereof with respect to said tread;

through holes extending entirely through a thickness of said tread;

inserts made of plastic material assembled in said through holes, said inserts in turn
having through holes therethrough for allowing vapor to pass through said through holes
through the thickness of said tread.--

--3. (Amended) The sole according to claim 1, wherein said membrane is

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a peripherally spaced from the edge of said tread and further comprising a peripheral upper
trim, which is made of rubber, and which is assembled to said tread so as to cover and seal
peripheral regions of said membrane and so as to leave a wide central opening through which
said membrane is visible.--

REMARKS

Favorable reconsideration of this application, in light of the present amendment and
accompanying remarks, is respectfully requested.

Claims 1-8 remain pending in this application, claims 1 and 3 having been amended,
by the present amendment.

In the outstanding Office Action, the disclosure was objected to for certain
informalities, claims 1-2 were rejected under 35 U.S.C. § 112, second paragraph, as being
indefinite, and claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over
Polegato in view of *Margolin* and *Sandmeyer*.